

**EXHIBIT B**

**Civil Action No. 07-CV-3160**  
**Hon. Stephen C. Robinson**

Kevin Hogan, Esq.  
Phillips, Lytle, LLP  
3400 HSBC Center  
Buffalo, New York 14203-2887  
Attorney for HSBC Bank U.S.A., NA

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

The State of New York and The New York State  
Department of Environmental Conservation

SUMMONS IN A CIVIL ACTION

V.

HSBC Bank USA, N.A.

CASE NUMBER:

07 CIV. 3160

TO: (Name and address of Defendant)

HSBC Bank USA, N.A.  
One HSBC Center  
Buffalo, New York 14203

452 Fifth Avenue  
New York, New York 10018

**ROBINSON**

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Maureen F. Leary  
Assistant Attorney General  
Office of the Attorney General  
Environmental Protection Bureau  
State Capitol  
Albany, New York 12224

an answer to the complaint which is served on you with this summons, within \_\_\_\_\_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**APR 19 2007**

CLERK

DATE

(By) DEPUTY CLERK

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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____  Date </div> <div style="width: 60%;"> _____  <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____  <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.